United Nations S/PV.5017

Security Council

Fifty-ninth year

Provisional

5017th meeting

Thursday, 5 August 2004, 10 a.m.

New York

President:	Mr. Denisov	(Russian Federation)
Members:	Algeria	Mr. Benmehidi
	Angola	Mr. Lucas
	Benin	Mr. Zinsou
	Brazil	Mr. Valle
	Chile	Mr. Maquieira
	China	Mr. Zhang Yishan
	France	Mr. Duclos
	Germany	Mr. Trautwein
	Pakistan	Mr. Khalid
	Philippines	Mr. Mercado
	Romania	Mr. Motoc
	Spain	Mr. De Palacio España
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Holliday

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/613)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-45050 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/613)

The President (*spoke in Russian*): I should like to inform the Council that I have received letters from the representatives of Albania, Japan, the Netherlands and Serbia and Montenegro, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Security Council, I extend a warm welcome to His Excellency Mr. Zoran Loncar, Minister of Public Administration and Local Self-Government of Serbia.

At the invitation of the President, Mr. Loncar (Serbia and Montenegro) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Russian*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/613, containing the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations. I now give him the floor.

Mr. Annabi: Members of the Council have before them the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK)(S/2004/613), which is dated 30 July 2004 and covers the activities of UNMIK and developments in Kosovo from 1 April to 15 July. I wish to thank the Council for the opportunity to brief it on the main highlights of the report.

Following the widespread violence of mid-March, efforts in Kosovo have focused on creating an environment in which confidence among Kosovo's communities can be strengthened and dialogue among Kosovo's political leaders can move forward. Efforts have centred on the reconstruction of property damaged or destroyed during the violence, on creating conditions for the safe and sustainable return of those who were forced to flee their homes during the violence, on establishing the basis for the reform of local government in Kosovo and on moving forward the standards implementation process. While there have been encouraging and concrete developments in those and other important areas, overall progress remains fragile and serious concerns persist.

The overall security situation in Kosovo has been calm and stable, with few significant security incidents — none of which have been attributed to extremist groups. While instances of intimidation against minorities have continued — in particular against Kosovo Serbs — there has only been one serious incident that appeared to be ethnically motivated, namely, the murder on 5 June of a Kosovo Serb teenager in the village of Gracanica, just outside Pristina. That murder should be condemned in the strongest terms. However, we are encouraged by the rapid apprehension and arrest by Kosovo Albanian officers of the Kosovo Police Service of two Kosovo Albanian youths only hours after the murder. Those arrests have contributed to preventing the escalation of that incident into wider inter-ethnic violence.

Kosovo's non-majority communities, and in particular Kosovo Serbs, continue to live in precarious security conditions. Their freedom of movement and access to public services and facilities has been further curtailed by the events of last March. Regrettably, there have been few signs of tangible improvement since then. Only through improved security conditions and freedom of movement can Kosovo's minorities be confident that their future lies in Kosovo. Only then will the internally displaced feel confident enough to return to their homes.

Although there have been important steps forward in the reconstruction of houses damaged or destroyed during the March violence, some 2,400 people remain displaced as a result of the unrest. Limited returns have taken place to temporary accommodations next to sites where homes are being reconstructed. But the overall returns process was dealt a severe blow by the March violence. The effect on returns to urban areas that had been planned earlier in the year has been particularly damaging. Despite the major setback to the returns process caused by the March violence, UNMIK is working with Kosovo Serb representatives to identify priority areas for the return of Kosovo Serbs this year.

Following a slow start, the reconstruction of damaged or destroyed properties moved forward significantly during the reporting period. Kosovo's Provisional Institutions are responsible for post-violence reconstruction efforts, and an inter-ministerial Reconstruction Commission has been entrusted with managing and implementing the reconstruction programme. As of 30 July, 331 of the 935 damaged or destroyed properties had been rebuilt, and 277 were under reconstruction. Contracts for a further 36 properties are about to be awarded, and technical documentation is currently being prepared for an additional 160 properties. While those results are noteworthy, clearly much more needs to be done in this area. A further acceleration of reconstruction efforts will be required to ensure that all homes are rebuilt before the onset of winter and that the reconstruction of all schools is completed before the start of the school year.

There have been encouraging steps by Kosovo Albanian leaders to begin to mend the damage caused to inter-ethnic dialogue and reconciliation by the March violence by reaching out to Kosovo's minorities through visits to their communities. Those actions are important, but they must be followed by sustained public commitment and concrete action aimed at rebuilding trust between Kosovo's communities in order to ensure that the difficult process of reconciliation truly takes hold. Following the violence, a resumption of political dialogue among the leaders of Kosovo's communities is of paramount importance in order for Kosovo to make progress.

Despite the Kosovo Serbs' continued non-participation in Kosovo's Provisional Institutions, the signing of a joint declaration by Kosovo Serb and Kosovo Albanian leaders on 14 July, in which leaders of the two communities committed themselves to cooperate in a number of areas, was a significant development. That important statement of intent of course needs to be followed up by concrete actions.

The recent period has also seen progress in the standards implementation process. Following the launching of the revised Kosovo Standards Implementation Plan on 31 March, Kosovo's Provisional Institutions have shown a renewed readiness and commitment to move that process forward. Within the Provisional Institutions, detailed assignments and timelines for the achievement of targets set out in the Implementation Plan have been drawn up, and a monitoring and assessment mechanism is in place. Those are important steps forward, but clearly the challenge is for the Provisional Institutions to effect concrete change in line with the Plan's requirements, particularly in the areas of minority protection and the promotion of minority rights, as well as returns and freedom of movement. Kosovo Serbs are called upon to engage in the standards implementation process in order to address their concerns. The Provisional Institutions should, in particular, focus on implementing all of the priority actions included in the Plan following the March violence.

There has been significant progress in joint efforts by UNMIK and the Provisional Institutions to initiate a process of reform of local government in Kosovo. Following extensive deliberations by a joint UNMIK-Provisional Institutions working group, on 23 July an agreed framework document on local government was presented, setting out the principles and framework for the devolution of responsibilities to the local level. The document, which was approved in principle by the Kosovo Government, is an important step forward in developing the recommendations on possible new institutional arrangements requested by

the Security Council in order to allow for more effective local government through the devolution of responsibilities.

The consultation process has been transparent and inclusive and has benefited from the constant support of the international community. Although they did not formally agree to the document, representatives of the Kosovo Serb community participated in an observer capacity in the final four meetings of the working group and contributed substantively to the agreed text. UNMIK continues to consult with Kosovo Serbs, with a view to exploring their position on the document. We urge all stakeholders to continue their active involvement in this process, with a view to achieving practical results soon. In due course the Council will receive recommendations from the Secretary-General as requested.

Kosovo's Provisional Institutions, and in particular the Kosovo Government, continued to make progress in improving their efficiency and effectiveness. However, the Kosovo Assembly has continued to focus on symbolic issues to the detriment of concrete standards implementation and legislative work aimed at improving the daily lives of all of Kosovo's residents. This was most evident in the Assembly's move to propose a comprehensive package of amendments to the Constitutional Framework. Despite UNMIK's repeated warnings that such a move went beyond the Assembly's competence, and despite the issuance of a press release by UNMIK on 8 July reiterating that position, Assembly members voted on 28 July to propose a package of 38 amendments to the Constitutional Framework and to forward those proposals to the Special Representative of the Secretary-General for his approval. The proposals, which have yet to be formally presented to the Special Representative, impact on a number of areas that are reserved for the Special Representative under the terms of the Constitutional Framework. UNMIK's position on this is clear: it remains open to considering specific proposals for amendments, provided that they are not within the reserved powers of the Special Representative.

Technical preparations for the Kosovo-wide elections in October have begun, and to a large extent operational responsibilities for running the elections will rest for the first time with the people of Kosovo. There have been difficulties in obtaining the required level of cooperation and information from the competent authorities in Belgrade, and as a result the by-mail operation for the internally displaced outside Kosovo has encountered serious difficulties. UNMIK has therefore decided to proceed on the basis of the information currently available.

While the technical groundwork for inclusive elections with the participation of all of Kosovo's communities is being laid, the participation of Kosovo Serbs in the elections remains unclear. Indications by some representatives of the Kosovo Serb community of a willingness to participate are encouraging, and UNMIK continues to work with the Kosovo Serb leadership with a view to ensuring their participation. Participation in the democratic electoral process and a re-engagement in Kosovo's provisional institutions is in the interest of Kosovo Serbs, and the international community's concerted support for efforts to ensure their participation is crucial.

Overall, one can say that the period since the violence in March has seen limited and encouraging progress in Kosovo, but clearly Kosovo's leaders and population face an uphill challenge in moving Kosovo forward along the path of normalization, ethnic reconciliation, strengthening of still fledgling democratic institutions and creation of a tolerant, inclusive society. Consistent progress in implementing the standards for Kosovo is central to the creation of a democratic and tolerant Kosovo. We are encouraged by the commitment shown by Kosovo Albanian and Kosovo Serb leaders to the creation of a multi-ethnic Kosovo and by efforts to move the political process forward. Developments since March have shown that, although responsibility for progress ultimately rests with Kosovo's representatives and its people, the international community's and, of course, the Council's, consistent support and active engagement in our joint effort in Kosovo remain indispensable.

The President (*spoke in Russian*): I thank Mr. Annabi for his briefing.

I now give the floor to the representative of Serbia and Montenegro, His Excellency Mr. Zoran Loncar, Minister of Public Administration and Local Self-Government of Serbia.

Mr. Loncar (Serbia and Montenegro) (*spoke in Serbian; interpretation provided by the delegation*): First of all, I would like to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of August. I would also like to

thank Assistant Secretary-General Hedi Annabi for his in-depth presentation of the Secretary-General's report (S/2004/613).

I would also like to thank you, Mr. President, for this opportunity to state the positions of Serbia and Montenegro at today's meeting of the Security Council regarding the report before it on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the situation in Kosovo and Metohija, Serbia and Montenegro, from 1 April to 15 July 2004.

Serbia and Montenegro appreciates the view stated in the report that much of the political effort in Kosovo and Metohija over the reporting period was aimed at alleviating the consequences of the attempted ethnic cleansing in the province in mid-March this year. Without seeking to diminish the efforts of the international community and UNMIK to rebuild destroyed houses, schools and other structures, it is our view that the consequences of the pogrom by Kosovo Albanian extremists and terrorists committed against the Serbs on 17 and 18 March 2004 are far from being addressed. In addition, reconstruction has not yet even begun of 35 destroyed and torched churches and monasteries of the Serb Orthodox Church, a centuries-old testimony of the Serb presence in the area. I cannot but mention that these include the cathedral and the Metropolitan's residence in the mediaeval city of Prizren and the Church of Our Lady — the Bogorodica Ljeviska — dating from the beginning of the fourteenth century.

Moreover, Serbia and Montenegro does not consider sufficient the efforts made so far to overcome the political and moral consequences of the March pogrom against Serbs. The basic human right to life in safety, peace and dignity worthy of human beings continues to be denied to Serbs in Kosovo and Metohija. Adequate measures have not been undertaken against extremists and terrorists, whose influence was very much in evidence among Kosovo Albanians in the March events. The fundamental human right of a safe and peaceful life for Serbs cannot be realized without decisive police and judicial investigation and without putting a total end to the contrary policy by the Kosovo Albanians themselves.

We note with regret that the past activities of UNMIK and other representatives of the international community in this respect have been insufficient. This indirectly sends the message to Albanian extremist and terrorist structures that their crimes may remain unpunished and that they are tacitly tolerated and hence may be repeated.

Serbia and Montenegro expresses its concern over the fact that the Provisional Institutions of Self-Government in Kosovo and Metohija failed to condemn the March ethnic violence and ethnic cleansing promptly and willingly. How is it possible that the bodies and institutions that should, according to the Constitutional Framework, represent all inhabitants of the province condemned the violence only when compelled to do so by international factors? How can it be that the majority Albanian community is using this horrendous violence against the Serbs as an excuse to demand new responsibilities since it allegedly lacks the authority to prevent such brutality? The collapse of the Kosovo Police Service in March best disproves the validity of any such demand. Some activities undertaken by the Kosovo parliament offer similar examples. We therefore welcome the position of the Secretary-General concerning the illegal amending of the Constitutional Framework by the Kosovo parliament, particularly the assessment in the conclusions of his report that this was clearly outside its competencies. This is an absolutely unacceptable act.

Serbia and Montenegro wishes to reiterate the position stated in the plan of the Republic of Serbia for the political solution to the current situation in Kosovo and Metohija, adopted by a resolution of the National Assembly of the Republic of Serbia on 29 April 2004: Serbia does not want to diminish any effort by the international military and civilian missions in Kosovo and Metohija to curb inter-ethnic conflicts. However, Serbia and Montenegro still considers that UNMIK has not yet fulfilled its mandate under Security Council resolution 1244 (1999). That mandate includes, inter alia, "establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo" (*para. 10*), "assuring the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo" (*para. 11 (k)*), and "protecting and promoting human rights" (*para. 11 (j)*).

We would like to point out once again that UNMIK's failure to fulfil those goals was not due to a lack of good will or conscientiousness by a significant part of the international mission. It is virtually

impossible for the international troops and civilian presence to effectively protect the basic human rights of Serbs when they have been exposed to expulsion by well-organized Kosovo Albanian extremist and terrorist structures. That is why the Government of Serbia proposed its plan for a political solution through territorial autonomy and firm institutional guarantees as the only possibility for protecting the remaining Serbs in Kosovo and Metohija. At the same time, the plan creates the only realistic preconditions for the return of internally displaced persons now in central Serbia. The plan does not offer final solutions to all issues and is open to amendment. It does, however, proceed from a realistic assessment of the situation in Kosovo and Metohija. The situation in the province is not comparable to any other in Europe. As rightly indicated in the Secretary-General's report, "there remains a long way to go until standards, particularly in the areas of minority protection, returns and freedom of movement, are met" (*S/2004/613, para. 3*).

The plan of the Government of the Republic of Serbia guarantees institutional mechanisms for the protection of the rights of minorities, with special status for churches and monasteries and a lasting security role for the international forces in the protection of minorities. The plan would provide a situation of safety in which, inter alia, parents would not have to fear for their children as they leave for school, the sick and the frail would be able to receive medical care, citizens would be able to attend to the administrative affairs of their local communities in municipal centres, farmers would not be afraid to go to their fields and small businesses would be able to function. None of this is now possible for most of the Serbs in Kosovo and Metohija, and it will remain impossible if the majority Albanian population continues to decide these issues.

The plan also represents a realistic response, not only to the pogrom, but equally to the events of the past five years that have resulted in two thirds of Serbs leaving Kosovo and Metohija since the deployment of UNMIK. Autonomy and institutional guarantees for the Serbs and other communities in Kosovo and Metohija are the only way to preserve the preconditions for a future multi-ethnic and multicultural society. The international community's mission will avoid failure only if institutions are created in which the majority — specifically a majority that is constantly ethnically defined — will not always be able to outvote the minority and if institutions are established in which the spirit of tolerance prevails and the legitimate concerns of others are taken into account. It is our profound belief that a Kosovo and Metohija without Serbs, and one in which a cultural heritage more than six centuries old continues to be torched and desecrated with impunity, would not only represent the failure of the international policy embodied in UNMIK, it would be a defeat of the fundamental values of dignity and the equal and inalienable rights of all people, on which freedom, justice and world peace are based, as enshrined in the Charter of the United Nations.

In past political activities concerning Kosovo and Metohija, the State Union of Serbia and Montenegro has steadfastly adhered to the goals specified in the aforementioned plan and the resolution adopted by the National Assembly of Serbia. We have noted that international factors, in the weeks following the presentation of the plan, have accepted this proposed method of solving the problems in the province. International circles showed great interest in the plan, which was accepted as a good basis on which to start talks on resolving the difficult position of the Serbs. Some international factors initiated the establishment of a working group within the provisional Government of Kosovo and Metohija to formulate decentralization proposals. The activities of the working group took place as pressure was brought to bear on Kosovo and Metohija Serbs to participate in its work, although they had, in all forms of their political engagement, embraced the Government of Serbia's plan as their own.

The draft text on the reform of local self-government prepared by the group does not address the essential and current problems faced by the Serbs. The draft may represent a good long-term basis for the reform of the entire local self-government of the province. However, it does not address the urgent needs of the Serbs, since it does not contain meaningful solutions for their survival and return, as are offered in the Government of Serbia's plan. Under such circumstances, the State authorities of Serbia are not in a position to call upon the Kosovo and Metohija Serbs to take part in the forthcoming parliamentary elections. We would like to emphasize that the plan of the Government of Serbia stipulates in particular that the establishment of firm institutional guarantees for the Serb community in Kosovo and Metohija would serve as a significant encouragement to them to

participate in the October elections for provisional authorities. We note with regret that no progress has been made in that direction in the meantime.

Finally, Serbia and Montenegro considers that the direct and heightened activities of the Contact Group, which is representative of a wide spectrum of relevant international factors, represent the best framework for putting in place the possibility of an applicable policy of standards in Kosovo and Metohija. The implementation of those standards should lead to the establishment of a system of European values. A European character in Kosovo and Metohija, within Serbia and Montenegro, would not be to the detriment of Albanians, Serbs or others. It would be in the interest of all citizens and peoples in Kosovo and Metohija, in the interest of lasting Serbian-Albanian reconciliation and common European future, and in the interest of Serbia and Montenegro's best relations with all its neighbours. Any other solution would breed dangerous new hatred, conflicts and policies of revanchism and would represent a constant potential source of new conflicts in the Balkans and elsewhere in Europe.

In conclusion, allow me to reiterate Serbia and Montenegro's readiness to continue to be a constructive partner of the international community in resolving all outstanding questions in Kosovo and Metohija, and to express our hope that the members of the Contact Group will continue to energetically pursue their efforts.

The President (*spoke in Russian*): I thank Mr. Loncar for his kind words addressed to me.

Mr. Zinsou (Benin) (*spoke in Russian*): As the first Council member to speak at today's meeting, let me congratulate you, Sir, on your assumption of the presidency of the Security Council. I wish you every success, and wish your wonderful country and your great people all the best as well as peace. I would like to assure you that my delegation stands ready to cooperate with you in all sincerity to ensure the full success of your presidency.

(*spoke in French*)

I would also like to reiterate here my admiration of Ambassador Motoc of Romania for the skill with which he guided the work of the Security Council in July 2004.

We are honoured by the presence among us of the Minister of Public Administration and Local Self-Government of Serbia.

Let me also thank Mr. Annabi, Assistant Secretary-General for Peacekeeping Operations, for his excellent introduction of the report of the Secretary-General (S/2004/613) on developments in Kosovo since the violent events of March 2004. As we read this highly instructive report, we sense that things are gradually returning to normal and that there is every reason to be optimistic about the prospects for normalization of the situation.

In this respect, the joint declaration signed by Kosovo Albanian and Kosovo Serb leaders on 14 July is a positive development. We fully support the priorities set out therein with respect to managing the situation resulting from the riots of March 2004. It also represents a renewed commitment with respect to the pooling the efforts of the two communities with a view to overcoming the painful legacy of the past and working together to achieve the primary goal: a multi-ethnic and democratic Kosovo.

My delegation welcomed the Standards Implementation Plan when it was launched, as well as its revision in the light of the events of March. The adoption of a matrix setting forth tasks and responsibilities for each of the ministries and municipalities is a further step in the right direction. However, this arrangement must be supplemented through the establishment of rules of procedure governing the functioning of the Government and the central ministries and their overall coordination. The lack of such a procedure is rightly regretted in the report.

In the same spirit, we full endorse the principle of holding the majority community responsible for the welfare of the minority communities, and we support specific measures taken to ensure the protection of the vital interests of the Serb community in Kosovo. The participation of the Serbs in local government bodies in Kosovo is a key factor in that respect, as is their representation in the Provisional Institutions of Self-Government, which continues to be very low, as the report indicates.

We pay tribute to the United Nations Interim Administration Mission in Kosovo (UNMIK) and its military force, KFOR, for the crucial role they are playing in consolidating peace in Kosovo by

supporting the normalization process based on the allocation of responsibilities pursuant to resolution 1244 (1999). We call on the Provisional Institutions scrupulously to respect that division of responsibility and to work to carry out the tasks that fall within their purview. We would like here to highlight our support for the early warning arrangements put in place by the joint Kosovo Security Advisory Group with a view to anticipating crises and acting quickly to prevent them.

The low rate of return of displaced persons continues to be a cause for concern, especially in the context of the legislative elections planned for October 2004. Over and above the need to increase the pace of the rebuilding of destroyed homes, there is a sense of insecurity among displaced persons, and due attention must be paid to that. We believe that all of those involved in the normalization process in Kosovo must step up their efforts to build trust among the minority communities so as to encourage their members to return home. To that end, we must renew the inter-community dialogue within the framework of the working groups, both at the local level and with Serbia and Montenegro and neighbouring countries. We must ensure that property rights are protected and strengthen the credibility of the judicial system in Kosovo through ongoing efforts to give it a multi-ethnic composition and make it effective. Dealing with the shortcomings highlighted in the report is essential if the rule of law is to be strengthened and corruption and impunity combated.

In the final analysis, we encourage the Provisional Institutions to strengthen their efforts, undertaken together with UNMIK, to establish a legal framework that provides incentives to promote sustained economic growth in Kosovo to as to create better prospects for the well-being of all the communities in the province.

Finally, we fully share the Secretary-General's positive assessment of the work of his former Special Representative for Kosovo and of the qualities of his successor, Mr. Jessen-Petersen. We wish him every success as he discharges his important task of promoting peace and harmonious inter-community relations in Kosovo.

The President (*spoke in Russian*): I thank the representative of Benin for the kind words that he addressed to me in the great Russian language.

Mr. Motoc (Romania): First, I would like to say that it is a distinct pleasure for me to be able to take this opportunity, at this first public debate in the Council for this month, to very warmly congratulate you, Sir, on your assumption of the presidency of the Council. We trust that you will be successful in carrying out your mandate, and we pledge our full support to that end.

I welcome the participation in this meeting of a high-level representative of Serbia and Montenegro, Mr. Zoran Loncar, and thank Assistant Secretary-General Hédi Annabi for his very useful update of the Secretary-General's comprehensive report (S/2004/613).

I would also like at the outset to pay a tribute to the personnel of the United Nations Interim Administration Mission in Kosovo (UNMIK), as well as to the men and women of KFOR. They are our representatives in Kosovo; they implement the Council's policies and follow its guidance, and they deserve all our gratitude and support. Full appreciation should go to the European Union and the Organization for Security and Cooperation in Europe, United Nations partners within UNMIK, and to the other organizations, agencies, contributors and donors that are helping with the implementation of resolution 1244 (1999).

We would also like to assure Mr. Søren Jessen-Petersen of our full backing as he prepares to take up his duties in his new position of authority as the Special Representative of the Secretary-General for Kosovo.

As regards Romania, Foreign Minister Mircea Geoana visited Belgrade and Pristina in July. Romania's Contact Office in Pristina was opened on that occasion. The head of Romanian diplomacy had extensive contact with representatives of UNMIK, KFOR, the OSCE, the Contact Group, the provisional authorities of Kosovo and leaders of the Serb community.

There are many keys to addressing the situation in Kosovo. They have to do, in particular, with the course of action that will be chosen in the next one or two years by Kosovo Albanians, Kosovo Serbs, the Serbia and Montenegro Government and the international community. But each one of those keys involves dialogue, as well as enforcement of and respect for standards based on fundamental values such

as human rights, the rule of law, democracy and freedom.

Leaders in Kosovo bear a great deal of responsibility for promoting dialogue, the reconstruction of relations and, ultimately, a normal, decent life for every Kosovo inhabitant, irrespective of ethnicity or cultural background. Romania is encouraged in this respect by some — albeit still timid — relevant signs that the dialogue between communities is being reinstated, that leaders at the central and local levels are beginning to grasp their full responsibilities and that Kosovo Serbs are increasingly joining the process. We welcome the signing, on 14 July, of a joint declaration by President Rugova, Prime Minister Rexhepi and Kosovo Albanian and Kosovo Serb leaders, and we look forward to its bearing fruit.

We also welcome the positive evolution of the sustainable reform of local government as reported today by Assistant Secretary-General Annabi along the lines recommended in a presidential statement by the Council (S/PRST/2004/13).

Unfortunately, the report before the Council also shows in a detailed manner that the profound physical and psychological negative impact of the March violence has still not been overcome. The report contains ample references to insufficient progress in almost all categories of standards implementation and, most importantly, in those fields that should be priorities for healing after the March events, namely reconstruction of patrimony, sustainable returns, the rights of communities and freedom of movement. The provision of adequate security for minority communities and the protection of their rights are a telling test for every democratic institution and society, and they should be a political goal and motivation in Kosovo.

Romania understands the bitter feelings of Kosovo's population at a time of difficult economic conditions and the transition to democracy. Nonetheless, we recall that violence is never a viable option and that it only hampers aspirations for a stable and prosperous future.

We have noticed the increased ownership of responsibilities by Kosovo's institutions in addressing more and more of Kosovo's problems. Romania supports that trend — within the framework allowed by the Council's decisions — as long as it is connected to consolidating professional policy-making and administrative capacity, bettering economic conditions, enabling Serbs and other minorities to safely return and live in Kosovo, establishing the rule of law and fighting corruption and organized crime, all in close partnership with UNMIK.

The situation ahead with regard to Kosovo is complex and remains uncertain. Romania believes that the Council needs to keep Kosovo under closest consideration and to give the population of Kosovo and the surrounding areas the clearest of all possible messages.

We are not 100 per cent confident that the lessons from the March violence have been adequately learned in Kosovo, and many examples in the Secretary-General's report confirm that impression. There might still be extremists and profiteers of instability willing to derail Kosovo from the right path and prevent it from addressing its most stringent priorities.

Nonetheless, we maintain hope, encouraged by recent developments in Kosovo and the successful completion of the presidential election in Serbia. We trust that dialogue and a sense of responsibility will prevail, backed by a strong and coherent response from the Security Council and the mandated organizations in the field.

Romania awaits with great interest the prompt presentation of comprehensive recommendations from the Secretary-General on the way forward for Kosovo, based on recently finalized assessments and, especially, on Ambassador Kai Eide's review of the political conditions in and surrounding Kosovo.

Also, while we appreciate the work of UNMIK and the Secretariat in compiling a comprehensive report on the status of standards implementation, we consider that in future reports, an even more detailed presentation is necessary. Such presentations should follow the exact structure of the Standards Implementation Plan, establish clear and realistic priorities for each of the periodic reviews until mid-2005 and take into account feedback from the "Contact Group Plus". We also believe that the Provisional Institutions should make a cooperative contribution to the reports.

Finally, I would like to associate my delegation with the statement that will be made shortly by Ambassador van den Berg of the Netherlands on behalf

of the European Union. Romania applauds the Dutch presidency's manifest interest in the issue of Kosovo, especially since we believe that the best possible future for the whole region lies within a united Europe.

The President (*spoke in Russian*): I thank the representative of Romania for his words of welcome.

Mr. Lucas (Angola): At the outset, we congratulate you, Mr. President, on your assumption of the Presidency of the Security Council. We extend our delegation's full cooperation to the presidency. We also take this occasion to congratulate Ambassador Mihnea Motoc and the Romanian delegation for the excellent work accomplished during the presidency of the Council in the month of July.

We are very honoured by the presence of the Minister of Serbia and Montenegro. We appreciate his insightful statement on the situation in Kosovo.

We thank Assistant Secretary-General Hédi Annabi for presenting the Secretary-General's report on the United Nations Interim Administration Mission in Kosovo (UNMIK) covering the period subsequent to the violent events of mid-March 2004 (S/2004/613). The situation in the province of Kosovo that it describes contrasts sharply with the climate of relative optimism that prevailed before those events took place.

The events of March were, indeed, a wake-up call to the international community and the Security Council with respect to the need for greater realism and the need to take into account the real situation in Kosovo, with the background presence of extremist forces for whom the international community's high hopes and expectations for the future of Kosovo are but a hindrance to the attainment of their sinister agenda.

The implementation of the standards for Kosovo policy remains the core of developments in Kosovo. We understand the challenge of translating them into real change on the ground. The lack of capacity and experience within the Provisional Institutions is, according to the Secretary-General's assessment, the main obstacle to standards implementation, which has been slow and difficult. The decision of UNMIK to make minority protection, returns and freedom of movement key areas for standards implementation reflects the central issue of the question of Kosovo.

In the final analysis, the standards for Kosovo policy will make sense only if the rights of all communities are fully protected and respected. Anything short of the attainment of that goal will mean failure for the great efforts and the investment that the international community has made in Kosovo.

Thus, much remains to be done, without further delay, in those crucial areas. To apply justice with rigor to all those directly or indirectly involved in acts of ethnic violence and deploy real and determined efforts in the reconstruction of property damaged or destroyed during the events of March creates the conditions for the sustainable return of refugees and people displaced by the March events and ensures the freedom of movement of minorities living in Kosovo. In our view, those are benchmarks that the Provisional Institutions and UNMIK must achieve in the shortest possible time in order to contribute to the re-establishment of inter-ethnic confidence.

We have to acknowledge the profound differences of analysis between the Secretary-General's report under consideration and the information provided by Bishop Artemije of Raska-Prizren and Kosovo-Metohija to the Secretary-General. The perceptions of Kosovo Serbs as conveyed by the Bishop without diplomatic subtleties do not give much credit to what has been done in the province in terms of reconstruction, returns and freedom of movement.

Their rights scorned, their freedom of movement impaired and subject to assault and discrimination, it is not surprising that Kosovo Serbs refuse to participate in political life. We take to be an encouraging sign the recent initiatives for renewed inter-ethnic dialogue. In that regard, we welcome the joint declaration of 14 July concerning the reconstruction of infrastructure and the return of refugees and internally displaced persons, as well as the creation of the Kosovo Security Advisory Group, aimed at enhancing the flow of security information and preventing the recurrence of violence. As shown at various times in the course — of the current inter-ethnic dialogue, direct international involvement is a crucial element for promoting that process.

The Secretary-General's report states that the concrete, sustainable reform of local government is likely to be the most important political process that will affect the Kosovo Serb community. We fully concur with that proposition. We would go further by considering decentralization of the administration as a primary option aimed at the long-term normalization of the situation and as a priority for action by UNMIK

and by the Provisional Institutions. We hope that, by the time of the holding of municipal elections in mid-2006, legislation on the devolution of competencies and on the creation of new municipalities and administrative units will be in place with the required political framework, meeting with the agreement of all who are concerned for real decentralization. We also hope that the province of Kosovo will be able to undergo this experiment, which, in our view, will be rewarding if it creates conditions for the peaceful coexistence of the communities, thus laying solid foundations for a multi-ethnic and democratic society.

In conclusion, we believe that the standards policy, in its philosophy, its character, its objectives and its means to be translated into real change, will require a great deal of political will, commitment and perseverance. It will also require much investment in the political and social processes, in youth, in men and women, in the economy and in patience to see tangible results that will take time to show.

The events of March in Kosovo proved, above all, that the international community cannot force a hasty withdrawal from Kosovo or a hasty definition of the territory's status. It is clear that the international community must remain focused and determined for a long period of time in implementing the policies formulated for Kosovo. In our view, those policies are just, sound and realistic, and they can surely succeed.

The President (*spoke in Russian*): I thank the representative of Angola for the kind words he addressed to me.

Mr. Maquieira (Chile) (*spoke in Spanish*): At the outset, I wish to welcome you, Sir, to the presidency of the Council and to wish you every success in guiding our work. It is no easy task to begin a position of the importance of Permanent Representative of the Russian Federation while simultaneously occupying the presidency of the Council. We wish you every success in both positions, and we offer you the cooperation of our delegation. I also take this opportunity to commend and thank Ambassador Motoc for his effective and efficient presidency last month. That efficiency is demonstrated by the fact that, three days after that presidency was concluded, Council members already had the assessment of Romania's presidency of the Council, which is quite notable. Finally, I should like to welcome the presence of Mr. Zoran Loncar, Minister of Public Administration and Local Self-Government of Serbia.

We also thank Assistant Secretary-General Annabi for presenting the report of the Secretary-General (S/2004/613), which enables us to appreciate the actions undertaken by the United Nations Interim Administration Mission in Kosovo (UNMIK), by the Provisional Institutions of Self-Government, by local political leaders and by other groups to recover from the physical and psychological damage caused by the March violence. While we are mindful of their seriousness, the events of March — and this is very important for us — cannot become a permanent obstacle to the reconciliation and normalization process in Kosovo. The significant setbacks experienced in achieving a truly multi-ethnic, stable and democratic Kosovo require long-term measures. Therefore, efforts must continue in areas such as the rights of members of minority communities, human rights, equality with regard to security, the implementation of standards, freedom of movement and sustainable return for all inhabitants of Kosovo, the reconstruction of property, initiatives to promote inter-ethnic reconciliation and reform of local government. Regarding this last point, we note the adoption in principle on 23 July of the framework document by the Government of Kosovo.

We reaffirm the validity of the policy of "standards before status" and of the Kosovo Standards Implementation Plan, presented on 31 March and recognized by the Council through its presidential statement of 30 April (S/PRST/2004/13). Cooperation between the Provisional Institutions of Self-Government and UNMIK is now even more essential for the implementation of the Plan.

We call upon the Provisional Institutions of Self-Government to continue to implement the six emergency measures outlined in the Kosovo Standards Implementation Plan in response to the March violence, particularly the remaining task mentioned in paragraph 4 of the report: investigating the instigation of the violence by certain authorities and by some sectors of the media.

We believe that any initiative aimed at inter-ethnic communication and dialogue is key if we are to avoid another March and therefore deserves our support. Therefore, we note with great interest the instances of reconciliation between Kosovo Albanians

and Kosovo Serbs promoted by various groups, including the "Contact Group Plus". It is essential to continue to adopt measures to establish the rule of law and to ensure its respect, including prosecuting the perpetrators of acts of violence, confiscating illegal weapons and suppressing organized crime. It is promising to note the progress in that regard described in the report. However, a multi-ethnic judicial system must still be created, notwithstanding the setbacks of March.

We believe it is urgent to rebuild damaged or destroyed property or pay appropriate compensation and to rebuild holy places and facilities for the return of those displaced from their homes. Therefore, we see as an important step the joint declaration signed in Pristina on 14 July announcing that the reconstruction of houses will be concluded before the beginning of winter.

The constructive dialogue between Belgrade and Pristina and between UNMIK and the Kosovo Assembly is an essential element for the success of this undertaking. The Kosovo Assembly must keep to its areas of competence, in conformity with resolution 1244 (1999) and the Constitutional Framework, to avoid situations such as those that occurred on 8 and 28 July.

We reiterate that, without the significant and sustainable return of internally displaced persons — who total 2,400 as a result of March's violence — and refugees, despite the recent setbacks; without sufficient freedom of movement; and without the disappearance of the parallel institutions, the rebuilding of a multi-ethnic, democratic society capable of integrating all of Kosovo's inhabitants without exception will be unfeasible.

In conclusion, I wish to acknowledge the efforts of Mr. Charles Brayshaw, Acting Special Representative of the Secretary-General; to wish every success to the new Special Representative, Mr. Søren Jessen-Petersen; and to recall with gratitude the efforts of Mr. Harri Holkeri.

The President (*spoke in Russian*): I thank the representative of Chile for the kind words he addressed to me.

Mr. Trautwein (Germany): Permit me at the outset to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I welcome you to New York, and I wish you and your delegation all the best for the month of August — and, naturally, for the following months as well. Let me also thank the Romanian Ambassador and his delegation for the very impressive work they carried out during their presidency in the month of July. I would also like to thank Assistant Secretary-General Hédi Annabi for his comprehensive and instructive briefing based on the Secretary-General's detailed report (S/2004/613).

Germany subscribes to the statement that will be delivered later by the Ambassador of the Netherlands on behalf of the European Union.

We heard during the briefing that we are again facing a mixed picture: there has been progress in many areas but there is slow or no progress in others. We heard again about the impact of the mid-March violence on the standards implementation process. Let me highlight a few aspects that we consider to be of particular importance.

The events of mid-March dealt a severe blow to Kosovo's development in many areas, not least with regard to the well-being of its people. Kosovo must continue to concentrate on confidence-building and reconciliation. A key factor in that process is the reconstruction of damaged properties as a prerequisite for the return of those who were displaced during the course of the March violence. As we have heard, a considerable number of those persons have been willing and able to return to their homes. Germany welcomes those positive achievements. The joint declaration of 14 July establishing a ministry for community matters, human rights and returns, and the public commitment of the Kosovo authorities to complete reconstruction within the agreed timelines, is very good news.

An important aspect of confidence-building is the punishment of those responsible for the violence at all levels. We do see some results, but we believe that further efforts are necessary.

In general, it still seems true that Kosovo Albanians and Kosovo Serbs talk more about each other than to each other. Both communities must intensify their direct dialogue. It is up to the Kosovo Albanian majority to reach out to the Kosovo Serb communities, but the Kosovo Serbs have to respond to Kosovo Albanian offers for dialogue and cooperation. We feel it is essential that the Kosovo Serb population become fully engaged in Kosovo's political life. That is

in their own interest, and it is the best way to address their concerns. Kosovo Serbs have to speak up for themselves in the Provisional Institutions, where Kosovo's future is being defined. It is in their own interest to participate in the forthcoming elections. In that respect, we are deeply concerned about ongoing discussions regarding boycotting the elections. We call upon all Kosovo Serbs and Serb political leaders to stop those discussions. We also want to see a resumption of the direct dialogue between Pristina and Belgrade, which remains an important element for improving the overall climate.

As far as the standards implementation process is concerned, there again there is light and shadow. The current report of the Secretary-General points out that, in a number of fields, the progress is still too slow with regard to putting words into action. In particular, the economy is still a matter of grave concern. However, there is progress in the efforts to establish a comprehensive framework for a competitive market economy.

There are other important areas of progress. I would like to mention, with appreciation, that the working groups on standards implementation have begun their work and that they are working with greater efficiency. In general, there seems to be a genuine and increasing commitment to move ahead with the implementation of standards, which remains the basis for progress. In that regard, we look forward to the next report of the Secretary-General, including an assessment by the Special Representative, as set out in the Council's presidential statements of December 2003 and April 2004.

One further positive development was the finalization by the end of July of the framework document on local government reform, as mentioned during the briefing. We call upon all Kosovars to participate fully in the implementation of local government reform. All communities in Kosovo will benefit from that reform. It directly responds to their needs and contributes to ensuring sustainable living conditions. The reform is aimed at providing more participation and more democracy for the whole of Kosovo. We firmly believe that if we manage to achieve the reform of local government, that will also help to solve many of the current problems in the standards implementation.

Let me conclude by thanking the United Nations Interim Administration Mission in Kosovo for its continued efforts in Kosovo and by assuring the new Special Representative, Mr. Jessen-Petersen, of the full support of my Government.

The President (*spoke in Russian*): I thank the Ambassador of Germany for his kind words addressed to me.

Mr. Valle (Brazil): First of all, I am very pleased to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for this month. I wish you a fruitful and productive term and I pledge to you the full cooperation of the delegation of Brazil. I would also like to extend my deep appreciation to Ambassador Mihnea Motoc of Romania for the excellent guidance he provided during July.

We welcome the presence here today of Mr. Zoran Lončar, Minister for Public Administration and Local Self-Government of Serbia.

I would also like to thank Assistant Secretary-General Hédi Annabi for his thorough presentation of the report of the Secretary-General (S/2004/613).

Brazil reiterates its support for the work carried out by the United Nations Interim Administration Mission in Kosovo (UNMIK) in the very volatile circumstances that prevail in Kosovo. The Mission has been able to deal with the extremely difficult situation on the ground and to respond promptly to challenges to its authority. We are also appreciative of the efforts of the "Contact Group Plus" in promoting the implementation of standards. In that regard, I would like to express our appreciation for the work performed by former Special Representative Harri Holkeri. I would also like to welcome the appointment of Søren Jessen-Petersen as the new Special Representative for Kosovo, whose credentials certainly qualify him for that difficult and sensitive task.

We note with appreciation that the task of identifying and prosecuting those responsible for the violent outbursts of last March has not been neglected. We appreciate the fact that police in Kosovo have arrested suspects in connection with the riots and that many cases are in the initial stages of prosecution. Although it is encouraging that effective steps are being taken to avoid impunity, it is important to guarantee that this effort does not lose momentum and

that cases of involvement by Kosovo police officers be pursued.

We also appreciate the progress made in the implementation of the reconstruction programme following the violence in March.

Unfortunately, the overall minority rights situation has deteriorated. Kosovo Serbs and other groups are still facing severe restrictions to their freedom to work and travel. In practice, they are being denied the right to a normal life. The international community must take a firm stance in protecting them against the continued violation of their fundamental rights and in encouraging the Provisional Institutions to honour the commitments set out by the Kosovo Standards Implementation Plan in that regard.

In recent months, many different plans for the future of the province have seen the light of day. We must remain aware of the dangers of solutions based on changing borders or allowing internal cantonization. They are artificial and in the past have proven to increase volatility in the Balkans. We favour solutions that rest on integration and that are capable of preventing further division. Although Brazil does not oppose decentralization and a degree of autonomy for minorities, we remain faithful to the principal that peace and reconciliation in the region must be based on compliance with resolution 1244 (1999) and the "standards before status" policy.

In that connection, we call upon the Provisional Institutions to enhance their commitment to the fulfilment of the Kosovo Standards Implementation Plan, which is the only viable path towards meeting the standards that will allow a future decision on the status of the province. Progress towards peace will not be fostered by unilateral acts, such as the recent movement by the Kosovo Assembly to make amendments to the Constitutional Framework on issues that actually fall within UNMIK's sphere of competence. The Kosovo Provisional Institutions of Self-Government would make a valuable contribution to peace if they concentrated on helping to implement the standards for Kosovo, a prerequisite for the future discussion on the status of the province.

Firmer engagement is needed for achieving adequate standards for minority rights. Minorities must also accept the responsibility of engaging constructively in the building of peace. Effective participation in the political process, and particularly in the upcoming elections, is one of the ways to strengthen such engagement. All minorities, and especially Kosovo Serbs, must be aware that refusal to participate in shaping a new political scenario will only aggravate exclusion and helplessness. The lack of tangible progress towards a political solution for Kosovo magnifies the human dimension of the tragedy. As long as the political situation remains uncertain, prospects are bleak for economic recovery. In spite of laudable efforts in this area by UNMIK and the Provisional Institutions, unemployment, rural backwardness, gender disparities and deficient educational, health and social welfare systems continue to prevail.

The March riots in Kosovo and their repercussions in Serbia and Montenegro have reminded us that the persistence of an environment of underlying violence and resentment in the province can threaten the stability of the whole region and potentially generate more ethnic clashes. Finally, we must call upon the authorities in Pristina and Belgrade to ensure the resumption of the work of the dialogue working groups. Only by benefiting from the value of dialogue, tolerance and diversity will Kosovo be able to leave behind decades of conflict and destruction and pave the way for a better future for all.

The President (*spoke in Russian*): I thank the representative of Brazil for the kind words he addressed to me.

Mr. Khalid (Pakistan): I welcome you, Sir, to New York and wish to congratulate you on you assumption of the Presidency of the Council for this month. I also wish to take this opportunity to commend Ambassador Motoc for the efficient and skilful way in which he guided the Council's work last month.

I wish to thank Mr. Annabi for introducing the Secretary-General's report (S/2004/613), as well as for updating the Council on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK). I also wish to recognize the participation of Mr. Zoran Loncar in this meeting and to welcome him.

Pakistan welcomes the appointment of Mr. Jessen-Petersen as the Special Representative of the Secretary-General for Kosovo; we continue to support UNMIK in its efforts to implement its mandate, provided by this Council. We also wish to acknowledge the contribution of Mr. Holkeri, former Special Representative of the Secretary-General.

The Secretary-General's report is a sobering assessment of the situation in Kosovo. While there has been some progress in areas related to the rule of law and in the development of the Kosovo Protection Corps, other issues, such as freedom of movement, sustainable returns, the rights of communities and property rights, continue to suffer as a consequence of the violence of last March. Above all, we remain concerned that Kosovo's economy needs considerable international donor support. Pakistan continues to call for an early resumption of the direct dialogue between Pristina and Belgrade. We note the willingness of Prime Minister Rexhepi to resume the dialogue, and we urge the authorities in Belgrade to reciprocate. In the meantime, we welcome the positive developments in regional dialogue and cooperation with Kosovo, as mentioned in the Secretary-General's report. We believe that these are steps in the right direction.

The violence of last March continues to cast its shadow and hamper the building of trust and cooperation between the main communities of Kosovo. This is currently the main hurdle in the implementation of standards in accordance with the provisions of resolution 1244 (1999). However, a deeper problem — indeed a more fundamental problem, as we have consistently stressed — is that the "standards before status" approach is flawed. The longer the clarification of Kosovo's status is delayed, the more it will feed into frustrations and tensions in Kosovo. It will continue to hamper the transition from war to peace and delay investments from international financial institutions, which are so vital for the economic recovery of Kosovo. The longer Kosovo remains in international political limbo, the more this perpetuates a situation where frustrations and violence will continue to fester.

In our statement in May (see S/PV.4967), our delegation proposed that instead of a "standards before status" approach the Council should consider promoting a "status with standards" approach as a two-pronged effort, which would on the one hand hold the Kosovars — both the people and the leadership — accountable to implement the standards programme, to work to end extremism and intolerance and to create friendly and cooperative relationships with their neighbours. This approach would also see simultaneous progress on clarifying Kosovo's status issue, identifying ways of promoting self-determination for all Kosovars while seeking to uphold the rights and interests of all its minorities. A change of course is essential to create hope for peace and to end the legacy of war in the entire region. We once again urge the Council to give this option some serious thought.

The President (*spoke in Russian*): I thank the representative of Pakistan for the kind words he addressed to me.

Mr. Zhang Yishan (China) (*spoke in Chinese*): Before starting my formal statement, let me first thank Mr. Motoc of Romania, under whose able leadership the Council successfully completed its work in July.

I also wish to congratulate the Ambassador Denisov of the Russian Federation on his assumption of the presidency of the Council for the month of August. We look forward to working with him, and I pledge that I personally and the entire Chinese delegation will fully cooperate with him.

I wish to thank the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2004/613) and to thank Assistant Secretary-General Annabi for his supplementary briefing. I welcome the presence and the statement of Mr. Loncar. I also wish to take this opportunity to thank the former Special Representative of the Secretary-General, Mr. Holkeri, for his unremitting efforts in promoting the peace process in Kosovo. I also wish to congratulate his successor, Mr. Jessen-Petersen. I wish him every success in his new capacity.

We note that in the recent past Kosovo has witnessed some progress in implementing the relevant standards, in rebuilding the communities of ethnic minorities and in promoting inter-ethnic reconciliation. However, as stated in the Secretary-General's report, despite that progress, the international community still has a long way to go to fully reverse the negative impact of the large-scale violence that took place last March, and especially to heal the psychological wounds and finally to achieve harmonious multi-ethnic coexistence and common development in Kosovo.

In that regard, all the parties in Kosovo are duty-bound to play a bigger role. We fully share the view of the Secretary-General that at present the most pressing task for all political leaders in Kosovo is to translate commitments into actions, so as to ensure that the Provisional Institutions of Self-Government and administrative organs at all levels fully implement the Kosovo Standards Implementation Plan and effectively

observe resolution 1244 (1999) and the Kosovo Constitutional Framework. The interim Kosovo Assembly should work strictly within its mandate and should not interfere in the powers reserved for the Special Representative of the Secretary-General in resolution 1244 (1999).

A proper solution to the issue of ethnic minorities is an important element of a fundamental and comprehensive solution to the Kosovo issue. It is also the priority for UNMIK and all the parties in Kosovo. In our view, it is important first of all to do a good job of conflict follow-up, including improving living conditions and ensuring the safety and freedom of movement of ethnic minorities, ensuring proper compensation to victims, rebuilding damaged facilities, and, on this basis, accelerating the return of refugees and making returns attractive. In addition, efforts to investigate the incidents in March must be strengthened and the perpetrators must be brought to justice, so as to enhance inter-ethnic trust and reconciliation.

It is also important to use legal and institutional measures to ensure the legitimate rights and interests of ethnic minorities. All the parties in Kosovo should work to strengthen the rule of law and administrative capacity-building in order to further enhance the reform of local institutions. Pristina and Belgrade should resume direct dialogue at an early date so as to find proper solutions to all the problems relating to the daily life of the people of Kosovo. We hope that UNMIK and the international organizations working in Kosovo will continue to support the Kosovo Provisional Institutions of Self-Government and to create the necessary conditions for the legislative elections in the autumn, so as to lay a solid foundation for peace and stability in Kosovo and throughout the Balkans.

The President (*spoke in Russian*): I thank the representative of China for his kind words addressed to me.

Mr. De Palacio España (Spain) (*spoke in Spanish*): My delegation joins other Council members in expressing our sincere congratulations to you, Sir, as you assume the presidency. We would also like to reiterate our appreciation and congratulations to the Permanent Representative of Romania, the previous President, for the work he accomplished.

We would particularly like to thank Mr. Annabi for his introduction of the report of the Secretary-General (S/2004/613) on the United Nations Interim Administration Mission in Kosovo (UNMIK). We also welcome the recent appointment as Special Representative of the Secretary-General of Mr. Jessen-Petersen, whom we have known for many years, since he held the high post of Assistant High Commissioner for Refugees. We know well the many personal qualities he brings to the task at hand. Spain will cooperate fully with him in the fulfilment of his functions at the head of UNMIK. I would like to pay tribute to the work carried out by the former Special Representative, Mr. Holkeri, and by Mr. Brayshaw.

We welcome the Minister of Public Administration and Local Self-Government of Serbia, Mr. Zoran Loncar.

Spain also associates itself with the statement that will later be made by the Permanent Representative of the Netherlands on behalf of the European Union.

As the Secretary-General notes in his report, much still remains to be done to repair the physical and psychological damage that resulted from the violence that took place in March. A number of positive steps have been taken, such as the beginning of the rebuilding of homes and schools, and the commitment to this that is reflected in the joint declaration that Kosovo Albanian and Kosovo Serb leaders signed on 14 July. However, the representatives of the people of Kosovo still need to demonstrate, through concrete actions, their genuine commitment to creating a truly multi-ethnic and democratic society in which the rights of all will be respected. The leaders of the Albanian community have a particular responsibility to redress the situation created in March so that the 2,400 people who had to flee the violence can return to their homes as soon as possible. Moreover, they must create the conditions necessary for the sustainable return of the very large numbers of displaced persons, mostly Kosovo Serbs, who have not yet returned. Unfortunately, we note that today minorities do not enjoy real freedom of movement and that their security conditions and access to public services are fragile, to say the least. We reaffirm the appeal that we made on 11 May in this Chamber (see S/PV.4967), that all those responsible for inter-ethnic violence be brought to trial and sentenced, and we welcome the first steps made in this direction.

We are, however, concerned that UNMIK's efforts to create a multi-ethnic justice system that is accessible to all communities have been seriously undermined by the violent events of March. Likewise, it is disquieting to note that the Kosovo media, with certain honourable exceptions, have not yet begun to apply the principles of tolerance, impartiality and veracity set out in the implementation plan.

The working group on local Government, established in line with the 30 April presidential statement of the Council (S/PRST/2004/13) so as to make local Government more effective by devolving powers to local authorities, has come up with a number of interesting recommendations for the reform of municipal administration in the territory of Kosovo. This municipal reform proposal, for which the main frame of reference is the European Charter of Local Self-Government, envisages a fundamental contribution to establishing and building genuinely democratic institutions, which, let us not forget, is one of the standards for Kosovo. We believe that the recommendations of the working group deserve to be put into effect.

At the same time, the Provisional Institutions need to implement all the priority steps established in the revised Kosovo Standards Implementation Plan. If this is done properly, it will undoubtedly bring about tangible changes that will benefit the entire population. In this regard, we hope that the next report of the Secretary-General will include a detailed assessment of what has been accomplished in standards implementation, as called for by the Council in December 2003 (see S/PRST/2003/26) and in April 2004 (see S/PRST/2004/13).

However, attempts such as that by the Kosovo Assembly on 8 July to go beyond the provisions of resolution 1244 (1999) and the Constitutional Framework are unacceptable and counterproductive. We reaffirm the validity of the principle of "standards before status" and recall that there is still a long way to go to achieve this. For its part, the Kosovo Serb community cannot remain on the sidelines of political life in Kosovo and should get involved in its development by participating in it in a more active fashion, including, of course, in the upcoming elections in October. For this purpose, all the necessary conditions must be put in place. In addition, we feel it is vital that direct dialogue between Pristina and Belgrade resume and be strengthened. Both parties must make every effort in that direction, and the working groups should begin meeting again.

In conclusion, Spain, which contributes to the maintenance of security through its participation in KFOR, will continue to support the commendable work done by UNMIK. We once again appeal to the Provisional Institutions and all competent actors to work, within the framework of resolution 1244 (1999), to establish a multi-ethnic, democratic Kosovo, based on the rule of law and integrated into Europe.

The President (spoke in Russian): I thank the representative of Spain for his kind words addressed to me.

Mr. Mercado (Philippines): We join other delegations in welcoming you to the Council, Sir, and in congratulating you on your assumption of the presidency of the Council for the month of August. We would also like take this opportunity to congratulate Ambassador Minhea Motoc of Romania for the highly professional and efficient manner in which he and his delegation conducted the work of the presidency for the month of July.

We also join other members of the Council in commending the Secretary-General's former Special Representative for Kosovo, Mr. Harri Holkeri, for his outstanding leadership during his term of office as head of the United Nations Interim Administration Mission in Kosovo (UNMIK).

We welcome the presence here today of Mr. Zoran Loncar, Minister of Public Administration and Local Self-Government of Serbia. We would also like to thank Assistant Secretary-General Hédi Annabi for his comprehensive briefing on the latest situation in Kosovo.

On 17 and 18 March, Kosovo was convulsed by the worst outbreak of inter-ethnic violence since the international community stepped in five years ago. That latest violence claimed the lives of 19 people, destroyed more than 900 houses and did untold damage to Kosovo's religious, historical and cultural sites. The Philippines, which is a troop contributor to United Nations peacekeeping efforts in Kosovo, joined other delegations in expressing its indignation about the violence, which undoubtedly undermined the gains made by the international community during the past five years of United Nations administration.

In our statement to the Council on Kosovo two months ago, we mentioned the fact that UNMIK's most important challenge is building the necessary trust and confidence to bridge the gap between the two communities. It is therefore disheartening to note that, four months after those incidents, little progress has been made in efforts to bridge the ethnic divide. We are also saddened by the fact that, five years after UNMIK took over, the peoples of Kosovo have still not mastered the confidence and trust needed to address the province's ethnic dilemma.

My delegation reiterates its support for and commitment to the international community's vision of a tolerant, multi-ethnic and democratic Kosovo. While we take note of the progress that UNMIK has made in its efforts to meet the Kosovo Standards Implementation Plan, as mentioned in the Secretary-General's report, my delegation believes that UNMIK should exercise a greater degree of flexibility by giving priority to the concerns of ethnic Serbs and other minorities in the province. Likewise, the international community should place the onus for protecting Kosovo's ethnic minorities on the Albanian majority.

For their part, Kosovo's leaders need to collectively demonstrate their genuine and concrete commitment to creating a society in which all communities can coexist peacefully and in which the rights of members of all of Kosovo's communities are respected, safeguarded and guaranteed. They should exert greater efforts to prosecute those responsible for the March violence and make good their promise to proceed with the reconstruction of the homes and churches that were ravaged during the March riots.

Lastly, we agree with Romania on the need for the Council to keep the situation in Kosovo under the closest consideration. In this regard, the Council may wish to explore the possibility of sending a mission to Kosovo to see for itself the situation on the ground and to convey a strong message to Kosovo's leaders about the need to work together and take the measures required to help the standards process move forward.

The President (*spoke in Russian*): I thank the representative of the Philippines for his kind words addressed to me.

Mr. Holliday (United States of America): First of all, I would like to express our delegation's thanks to Minhea Motoc for the fine work that he did as President of the Council during the month of July. We would also like to welcome the Russian presidency; we look forward to working with you, Sir.

We would like to thank Assistant Secretary-General Annabi for his briefing and welcome Minister Loncar and his presence here on behalf of Serbia and Montenegro.

We welcome the new Special Representative of the Secretary-General in Kosovo, Søren Jessen-Petersen. He is taking up his post at a crucial time and will have the strong support of the United States. The violence in March was truly a wake-up call, and we welcome the progress being made in reconstructing damaged and destroyed property, rebuilding an inter-ethnic dialogue and reforming local self-government; it must continue.

Much work remains. Concrete accomplishments are needed in the overall implementation of the standards, security and the rights of all communities. The mid-2005 review of progress in implementing the standards for Kosovo is around the corner. It is time for concrete action on implementing the standards. The review mechanism established by the Council rightly puts the emphasis on action, not words. The standards process puts responsibility for Kosovo's progress in the hands of Kosovo's leaders, who are, of course, responsible for implementing those standards.

The international presence in Kosovo should move increasingly to words a monitoring role and have less of a governing role. We would not, of course, support the wholesale transfer of reserved authority that the Provisional Institutions of Self-Government of Kosovo proposed last month, but the United Nations in Kosovo can further shift additional competences to the local authorities, or further share those competences with them.

With regard to standards implementation, we look forward to an assessment by the Special Representative of the Secretary-General on progress in implementing the standards, as called for in the presidential statements that the Council issued earlier this year.

In order for Kosovo to move ahead it is also essential for all of its communities to participate in the October elections. A boycott by any community would be a mistake. Participating in elections and acting within the institution of representative government are the best ways for a community to defend its interests.

We look to Prime Minister Kostunica, President Tadic and the Serbian Government to send a clear signal that Kosovo Serbs should, without precondition, participate in the elections. We appreciate very much Belgrade's participation in discussions on confidence-building measures and its introduction of a plan for the reform of local government.

We welcome and support the announced intention of UNMIK and the Provisional Institutions to develop more pilot projects. We call on the Government of Serbia and Montenegro to encourage constructive Kosovo Serb participation in this important process. The process of restoring local government should be substantial and include functions related to security and justice. These pilot projects should mark only the beginning of a long-term political process of designing and implanting more effective local government in Kosovo and should not exclude or prejudge any revised or broader framework that might be agreed to in the future. Nor should there be any preconditions attached to the direct dialogue on technical issues between Belgrade and Pristina. Those talks should resume immediately. We have seen considerable progress in recent weeks in dialogue between Serb and Albanian leaders in Kosovo. We urge both sides to continue and intensify this dialogue.

Let me close by saying that the treatment of Kosovo's minorities and ensuring that all of Kosovo's peoples can live in security will be the single most important yardstick used to judge Kosovo's development and its fulfilment of international standards.

The President (*spoke in Russian*): I thank the representative of the United States for his kind words addressed to me.

Mr. Benmehidi (Algeria) (*spoke in French*): I would like first of all to convey to you, Sir, my congratulations on your assumption of the presidency of the Council. I would also like, on behalf of the Algerian delegation, to thank Ambassador Motoc and the Romanian mission for their excellent work during the Romanian presidency in July.

I would like to thank Mr. Hedi Annabi for his excellent introduction to the report on the United Nations Interim Administration Mission in Kosovo (UNMIK). I would also like to pay tribute to Mr. Harri Holkeri for his endeavours and for the dedication that he showed at the head of UNMIK. Our congratulations also go to his successor, Mr. Søren Jessen-Petersen, and we wish him every success.

The current report is of particular importance as it comes four months after the clashes and acts of violence that shook Kosovo in March. It is important also because it enables the Council to assess the progress made in implementing the Kosovo Standards Implementation Plan, in restoring trust and in reconstructing property damaged or destroyed during those deplorable events. Those are priority tasks that promote understanding and coexistence among all Kosovars.

In that regard, we welcome the progress achieved in those areas. The commitment of Kosovo leaders to completing rapidly the reconstruction of damaged property and to relaunching the return process for displaced persons, the adoption of a joint declaration on the establishment of a ministry for community matters, human rights and returns and the finalization of a framework document for the reform of local administration signal Kosovo's positive development and the beginning of a process of détente, which augurs well for the improvement of the situation in the interest of all. Such measures well help consolidate Kosovar society and prevent regrettable inter-ethnic clashes from recurring. They will also create conditions of security and will have a positive impact on the process of sustainable return for displaced persons and on the freedom of movement.

The creation of an economically prosperous, democratic, tolerant and multi-ethnic Kosovo remains our common goal. Achieving that goal will inevitably require great effort and the full implementation of resolution 1244 (1999) and the policy of "standards before status". The leaders of Kosovo must shoulder their responsibilities and constructively support their implementation. We believe that a discourse promoting unity and not the division of Kosovars according to their ethnic background would assist the efforts undertaken in Kosovo, because Kosovo belongs to all Kosovars.

The international community must create the right conditions for the rapid and successful achievement of the eight standards in order then to address the fundamental question of the final status of Kosovo.

Furthermore, we believe that direct dialogue between Belgrade and Pristina, the active participation

of all in the Provisional Institutions and the settlement of the problem of parallel structures in Kosovo are all necessary for the success of efforts to restore trust, strengthen ties and promote reconciliation among all Kosovars.

Finally, we believe that Kosovo's economic recovery, the reduction of the troubling unemployment rate and the improvement of social conditions will contribute to the implementation of all priority measures and enable progress in achieving the standards for Kosovo.

In conclusion, I would be remiss if I failed to welcome Mr. Zoran Loncar of Serbia and Montenegro, and I thank him for his excellent presentation on the situation in Kosovo.

The President (spoke in Russian): I thank the representative of Algeria for his kind words addressed to me.

Sir Emyr Jones Parry (United Kingdom): I must apologize. I was going to say that I was grateful for the briefing. But as I was discourteous enough not to be here to hear it, other colleagues will tell me exactly what happened in my absence.

The United Kingdom associates itself with the remarks to be delivered later by the representative of the Netherlands.

All sides need to learn the lessons of 17 to 20 March this year. The Council looks forward to seeing the recommendations of the Secretary-General following Mr. Kai Eide's report. The United Kingdom specifically looks forward to a more coherent, focused and efficient approach by the international community in Kosovo. We would expect a constructive response from the communities in Kosovo. The appointment of Mr. Søren Jessen-Petersen is very welcome, and he enjoys our full support.

I would like to set out five priorities that the United Kingdom sees for future policy.

First, the Special Representative should initiate a programme by the United Nations Interim Administration Mission in Kosovo (UNMIK) to transfer competences and authorities to Kosovo institutions. Economic responsibility should be transferred progressively to the Provisional Institutions of Self-Government over the period up to and beyond the comprehensive review in mid-2005.

Next, this increased transfer of competences should take place in conjunction with a decentralization programme, with the aim of ensuring more effective local government and protection of minority rights. In our view, decentralization is basic to better governance in Kosovo; at the same, it can respect better the interests and the aspirations of different communities and regions within Kosovo.

Thirdly, UNMIK should streamline its operation and focus on priorities for action. We very much hope that the new Special Representative of the Secretary-General will assess whether UNMIK has the right structure and resources to meet the challenges confronting Kosovo. I think I should say that, when looking to see whether it has the right resources, my working assumption is that it has too many resources and that what we need is a more efficient use of fewer resources.

Fourthly, standards remain basic to the development of Kosovo. The standards review process should be maintained, with a comprehensive review, at the latest, in mid-2005. Implementation of standards remains the best basis on which to build an inclusive, multi-ethnic, democratic Kosovo in which all citizens can live in peace and security. The standards which we set out and which were accepted in the communication of spring 2004 (S/PRST/2004/13) remain a vital goal. But at the same time, to be realistic, what we need at the moment is a robust prioritization focusing on those standards to which we should try to give immediate effect; that means minority rights. It should be clear that this approach of prioritization is not to weaken conditionality. It is actually to deepen it, but to deepen it in the areas where there can be maximum impact. So, we expect to see concrete action taken and having effect to help minorities: not just pious statements of commitment but delivery on the ground.

Priority work should continue on the three areas relating to the minority communities: returns, including the new ministry of returns; introducing one or two decentralization pilot projects; and remembering that decentralization is not only for Kosovo Serbs but is part and parcel of more effective governance in Kosovo as a whole. And participation by all sides in the local Security Advisory Group is very desirable.

We look forward to considering the Special Representative's assessment of progress towards meeting the standards. That has been asked for several

times. I hope that in the next discussion we do not have to remind anyone — for the third time, I think — that that statement is due. We need that report.

Lastly, there has to be a dialogue with Belgrade. That is basic. But Belgrade cannot expect to exercise oversight or veto. Belgrade's proposals on decentralization are a useful contribution to the debate that ultimately needs to be held by the people who will live under the arrangements in Kosovo. But I have to say that the recent decision by Prime Minister Kostunica to urge Kosovo Serbs not to participate in the October elections is extremely disappointing. That is British understatement. Non-participation will only disenfranchise the Kosovo Serbs at a time when we have seen real progress on their key concerns. The Kosovo Serbs should participate in the elections and should rejoin the institutions. Our vision — our collective vision — of Kosovo is of a multi-ethnic entity looking forward positively to a normal European existence, reflecting the standards, the aspirations and the behaviour which, I think, generally characterize the reconciled Europe.

Those were my five points. It seems to me that the immediate priority now is to build tolerance and trust and to reassure the Kosovo Serbs. The Provisional Institutions of Self-Government must demonstrate a genuine commitment to strengthening the rights and the protection of Kosovo minorities. We were encouraged by the open letter of 14 June from Kosovo leaders calling for all Kosovo citizens to build that tolerant democracy based on the rule of law and laying the foundation for establishing a ministry of returns, communities and human rights. Belgrade and Kosovo Serbs have an important role to play in that process, and they have to make a constructive contribution; that is part of the overall deal. Unilateral statements on status by any side seem to the United Kingdom to be totally unacceptable.

What this is all about is a simple decision to decentralize, to actually give responsibility to people where it ought to be exercised, to give greater responsibility to the institutions in Kosovo. But, at the same time, a new Special Representative needs to exert himself on that process so that we have less UNMIK, but also so that the UNMIK we have is more effective and delivers on those objectives.

Mr. Duclos (France) (*spoke in French*): I thank Mr. Hédi Annabi for his briefing. I must congratulate Mr. Søren Jessen-Petersen on his appointment as Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), and I should like to assure him once again of France's full support.

I associate myself with the statement to be made by the representative of the Netherlands on behalf of the European Union. Therefore, I wish to confine myself to a few observations.

We set a strategy for Kosovo last fall — a strategy clearly expressed by the presidential statement of 12 December 2003 (S/PRST/2003/23). The very regrettable events of 17 to 19 March 2004 were a particularly negative development. We strongly condemned them, and we reacted energetically. The fact remains that our strategy has not changed; we simply know now that the situation is extremely fragile and that we have little time in which to act, particularly in the light of the date of mid-2005. We are totally convinced that unwillingness to act would be the worst possible attitude. Ambassador Eide has sent a report to the Secretary-General in which he puts forth ideas on that subject. Like others, we would very much like to read it so that we can take that contribution into account in our consideration of the matter.

On 14 July, the political leaders of Kosovo's various communities adopted a joint declaration that is a step in the right direction towards getting the political process back on track after the March violence. However, that declaration will have value only if it is translated into concrete action and progress in implementing the standards, particularly with regard to security and the rights of minorities. We welcome the very positive results of the joint UNMIK-Provisional Institutions working group on decentralization. The framework document that came out of its work is a good basis upon which to move in the direction indicated by the Security Council in its presidential statement of 30 April 2004 (S/PRST/2004/13). We hope that the Kosovo Serbs and all other parties concerned with this issue will take an active part in finalizing the decentralization plan, particularly with regard to pilot projects and the mapping of districts at whose level decentralization will take place.

More generally, France wishes once again to strongly encourage the Kosovo Serbs to participate fully in the institutions that the international community has created in Kosovo — and first of all in

the elections. My country is convinced that it is in the greater and long-term interest of the Kosovo Serbs to participate in the forthcoming general elections of 23 October 2004. We encourage them to register immediately on the electoral rolls, which will be irrevocably closed on 12 August: in exactly one week. It is important that others also encourage them to do that and, in any case, that Kosovo Serbs not be dissuaded from doing so.

The President (*spoke in Russian*): I shall now make a statement in my national capacity.

At the outset, I should like once again to thank the representative of Romania and his team for their successful presidency in July. I also thank the Secretary-General for his report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2004/613) and Assistant Secretary-General Annabi for his substantive briefing on the situation in the province. We note the participation in today's Council meeting of Mr. Zoran Loncar, Minister of Public Administration and Local Self-Government of Serbia, on behalf of Serbia and Montenegro.

The widespread surge of ethnically motivated violence in March, provoked by extremists in Kosovo, Serbia and Montenegro, and directed particularly against Kosovo Serbs, dealt a serious blow to the normalization process in the province and called into question the timetable for implementing the democratic standards established for Kosovo by the international community. In those events, we see a conscious attempt at the ethnic cleansing of the non-Albanian population in Kosovo. We are certain that no one should be allowed to benefit from, or to seek political objectives through, the use of violent measures.

The current situation in the province requires full implementation of Security Council resolution 1244 (1999). In that context, we remain committed to full and consistent support for the policy of "standards before status". Only the genuine achievement of democratic standards in Kosovo can serve as the basis for the Council to take a decision on whether discussions can begin on the issue of future status.

Unfortunately, the progress noted in the Secretary-General's report in the activities of the Provisional Institutions of Self-Government is still extremely limited, particularly with regard to the key issues of the Kosovo Standards Implementation Plan, including in the areas of rebuilding the properties damaged in March, resuming the process of returns to the province by refugees and displaced persons and ensuring freedom of movement. The facts speak for themselves. Approximately 2,400 people are still unable to return to their homes following the wave of violence in March. Healthcare facilities that had served minority patients have not been rebuilt, particularly in the area of Kosovo Polje, in the Pristina region.

The returns process has been reversed. One must conclude that the key principle of multi-ethnicity continues to be inoperative in practice, both at the provincial and municipal levels, where Kosovo Albanians are predominant. After all, as the Secretary-General has correctly noted, it is specifically the majority community that bears the primary responsibility for the well-being of minorities.

It is of particular concern that neither local leaders nor civil society supported UNMIK's efforts to maintain law and order in the wake of the violence in March.

Unfortunately, we must reach the unequivocal conclusion that minority rights — and in particular those of Kosovo's Serbs — continue to be violated. Non-Albanian communities in Kosovo are today living in greater isolation than they have at any time in the past three years. Like the Secretary-General, we are seriously alarmed at the lack of desire on the part of the Kosovo Assembly to focus on the urgent priorities associated with ensuring progress in the province. We are particularly puzzled by the failure of the Provisional Institutions of Self-Government to enact the Implementation Plan's priority actions, especially those aimed at investigating and punishing provincial and municipal bodies and leaders of political movements whose statements or actions condoned the violence of last March. We are also puzzled at the failure of the Provisional Institutions to condemn inflammatory materials that appeared in the province's media at the time of the violence, as well as at their failure to support recommendations made by the temporary Media Commissioner regarding investigating incidents of violence.

We support the Secretary-General's appeal to the Provisional Institutions to implement all priority actions set out in the revised Standards Implementation Plan, as well as to immediately translate into specific actions the promises they made regarding the

commitment to create conditions for the sustainable return and integration of all displaced persons. The Provisional Institutions must demonstrate genuine results in their work in all the priority areas of the standards process, including by establishing an inter-community dialogue and investigating the actions of political leaders, administrative mechanisms and media that may have contributed to the spread of violence in March. Additional robust steps are also needed to ensure equal security for all the inhabitants of the province, as well as to guarantee freedom of movement and to protect the rights of minorities.

Reforming local government will also have an important role in normalizing the situation in Kosovo. Not just in words but in actions, local government should ensure the conditions for all communities in Kosovo to be able to live together in a single multi-ethnic and democratic society, as called for in Security Council resolution 1244 (1999).

We also take note of the framework document for local government reform prepared by the joint UNMIK-Provisional Institutions working groups. We believe that document should further take into account the interests and concerns of the non-Albanian population, and of the Serbs in particular. We look forward to the recommendations to be made by the Secretary-General in accordance with the Security Council's request regarding a balanced model for the devolution of authority from the provincial level to local communities in Kosovo.

Along with other proposals, it would also be appropriate to consider the Serbian plan for a political settlement of the current situation in Kosovo. That is particularly important in the context of establishing constructive interaction by UNMIK and the Provisional Institutions of Self-Government with Kosovo Serbs and Belgrade.

We agree with the Secretary-General that much remains to be done to build capacity and enhance the effectiveness of the Provisional Institutions of Self-Government. At the same time, however, the practice of involving them in activities within the framework of reserved powers must be brought into full compliance with resolution 1244 (1999). Transferring those powers at this phase is unacceptable. At any rate, such a transfer must be preceded by a decision of the Security Council in that regard.

We also view as unacceptable attempts by certain political forces in Kosovo to pressure UNMIK and to view it as an impediment to realizing the ambitions of the Albanian majority in the province. We share the Secretary-General's concern that there continue to be radical, extremist forces in the province preparing to return to active political activities. We believe that it would be useful once again to underscore that premeditated attacks on UNMIK and KFOR are unacceptable and that they must be condemned in the strongest terms.

The forthcoming elections for the provincial Assembly will be a serious test for the process of implementing standards in Kosovo. In that regard, we note in particular the conclusion of the Secretary-General that it is the leaders of the Kosovo Albanian majority who bear the primary responsibility to establish a relationship with the minority communities in the province, who were the ones subjected to premeditated violence in March. Unless the Albanian majority actually demonstrates genuine and constructive interest, it is hard to anticipate Kosovo's Serbian and other minority communities returning to provincial political processes.

My delegation welcomes the appointment of Mr. Søren Jessen-Petersen as Special Representative of the Secretary-General and Chief of the United Nations Mission in Kosovo. Russia stands ready to cooperate with him very closely in the context of existing mechanisms, in the interest of quickly ending the tragedy in the Balkans and bringing the situation in line with resolution 1244 (1999), which continues to be the sole legal basis for a settlement in Kosovo. We are certain that only a coordinated effort by the international community will contribute to bolstering stability and security in the province. The establishment of parallel tracks and outside efforts may only send the wrong signal to the parties to the Kosovo conflict.

We would also like to associate ourselves with the kind words of gratitude conveyed to the former Special Representative of the Secretary-General, Mr. Harri Holkeri, in connection with his efforts to promote the peace process in Kosovo.

I now resume my functions as President of the Security Council.

The next speaker inscribed on my list is the representative of the Netherlands. I invite him to take a seat at the Council table and to make his statement.

Mr. van den Berg (Netherlands): I have the honour to speak on behalf of the European Union. The candidate countries of Bulgaria, Romania, Turkey and Croatia, and the European Free Trade Association countries of Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

The European Union would like to welcome the appointment of Mr. Jessen-Petersen as the new Special Representative of the Secretary-General and Chief of the United Nations Interim Administration Mission in Kosovo (UNMIK). We look forward to cooperating closely with him and wish him the best of luck in carrying out his demanding job. The European Union would like to thank the former Special Representative of the Secretary-General, Mr. Harri Holkeri, for his commitment to working in challenging circumstances. Finally, I would like to welcome the presence of Mr. Zoran Lončar, the Minister of Public Administration and Local Self-Governance of Serbia, who represents Serbia and Montenegro.

The violent events of mid-March constituted a serious setback for the future of Kosovo and its people. The report before us covers the period subsequent to the events, from 1 April to 15 July 2004. As we take stock of the progress made towards reconciliation and mutual tolerance, the picture that emerges is mixed, but moderately more positive than the violence of March.

Kosovo Albanian leaders have indeed reached out to Kosovo minorities. During the last few months, already half of the people that were displaced have returned to their homes and villages. Around a third of the properties damaged have been reconstructed, and the authorities have pledged to rebuild the remainder of the destroyed buildings. The intention to establish a ministry for community matters, human rights and returns is a promising sign, as is the recent agreement on an anti-discrimination law.

While the European Union commends the Kosovo Albanians for these efforts, it also calls upon them to truly undo all consequences of the March riots. Any person living in any part of the world wants to live in a safe environment where he or she does not need to fear the neighbours because they belong to a different group. It is crucial that the people who are still displaced should be able to return to their homes as soon as possible. Efforts to punish those responsible for the violence have been undertaken, but not at all levels and not as vigorously as expected.

Likewise, we call upon the Kosovo Serbs to be receptive and responsive to overtures made by Kosovo Albanian leaders. In that respect, the lack of involvement of the Kosovo Serbs in the political process is still a cause for concern. Participation in the Provisional Institutions at the political level and in the upcoming elections in October is in the interest of the Kosovo Serbs themselves. They should be strongly encouraged to do so. The European Union believes that resumption of the dialogue between Belgrade and Pristina is essential. Now is the time to rise to the challenge.

Violence of the kind that occurred in March has to be, and indeed was, condemned. Those responsible for the destruction must be brought to justice. We also have to ask whether enough is being done to prevent a repetition of the events. The Secretary-General took his responsibility by requesting Ambassador Kai Eide to make a comprehensive review of the policies and practices of all actors in Kosovo. By now, the assessment and analysis of Ambassador Eide have been submitted to the Secretary-General.

The European Union believes that the mission of Ambassador Eide was timely, and the sharing of his conclusions will be welcomed. It seems that a broad discussion on the fundamental questions regarding Kosovo and the policies of the international community should be held at the right time. As to the structure of the presence of the international community, the European Union looks forward to working closely with the United Nations and the new Special Representative of the Secretary-General, Mr. Jessen-Petersen, in order to find ways to improve the action of the international community in Kosovo.

Meanwhile, there ought to be progress on the standards, not just in reports but also visibly on the ground. As the Minister for Foreign Affairs of the Netherlands, Mr. Bernard Bot, stated on behalf of the European Union during his visit to the region two weeks ago, the Union is committed to the full implementation of Security Council resolution 1244 (1999) and the policy of "standards before status". The standards are aimed at promoting values such as respect for minorities, tolerance, democracy and the

rule of law. Their implementation will be key for Kosovo's future. The implementation of standards will be a long-lasting process and will continue after the mid-2005 review. It is part of the process drafted during the Thessaloniki Summit of June 2003 on the perspectives of inclusion of the western Balkans countries in the European Union.

The European Union considers the joint declaration of 14 July to be a step in the right direction and a positive signal of commitment by Kosovo leaders of all origins. As stated earlier, the declaration announced the establishment of a ministry for community matters, human rights and returns. All parties expressed a shared commitment to do their utmost to ensure that sustainable return of internally displaced people can take place.

The declaration also supported the current promising efforts on reform of local government. In that regard, the European Union welcomes the progress achieved and commends the working group on local government, co-chaired by UNMIK and the Provisional Institutions, for its proposals. Reform of local government and decentralization are important steps towards ensuring sustainable government, the protection of minority communities and better living conditions for all inhabitants in Kosovo. The European Union calls upon all communities and interested parties in Kosovo to fully engage in this important process and to undertake concrete steps to start implementation of the reforms as soon as possible.

The European Union is a strong contributor to the economic development and reform efforts in Kosovo. As indicated in the report of the Secretary-General, the third wave of privatization has been launched. The European Union looks forward to a renewed momentum for this process and calls on all parties involved to take a rational, non-political approach to the issue of privatization.

Let me finalize by stating that the commitment of the European Union to Kosovo is not limited to Pillar IV. We strongly believe that the future of Kosovo is within the European structures. Consequently, the European Union continues to be the largest donor of financial support to Kosovo. It will do its utmost to enable Kosovo to become part of not only the political and economic union that the European Union constitutes, but also of the community of values it stands for.

The President (*spoke in Russian*): The next speaker inscribed on my list is the representative of Japan, whom I invite to take a seat at the Council table and to make his statement.

Mr. Kitaoka (Japan): First of all, I wish to congratulate you, Mr. President, for assuming the presidency of the Security Council. I begin today by expressing Japan's sincere respect for the efforts of Mr. Harri Holkeri, former Special Representative of the Secretary-General, to improve the situation in Kosovo. We also extend our heartfelt congratulations to Mr. Soren Jessen-Petersen on his appointment as the next Special Representative for Kosovo.

As the new Special Representative is expected to commence his work in the near future, today's public meeting will be an excellent opportunity to reassess the situation and the policies in place up to the present. I am confident that Mr. Jessen-Petersen will also make his best effort in his new post, taking into consideration the conclusions drawn from today's discussion.

The Government of Japan wishes to make three points today. First, against the background of the lessons of the March violence, we welcome the fact that the Provisional Institutions of Self-Government and UNMIK, with the help of concerned countries, have drafted a framework document for the devolution of responsibilities to local authorities. My Government hopes that, through the careful implementation of the framework, the human rights of minorities will be better protected and the establishment of a democratic and multi-ethnic society will be accelerated.

At the last public meeting on this item (see S/PV.4967), a number of representatives mentioned the importance of making tolerance a reality in Kosovo. Japan firmly believes that establishing such tolerance is the key to the successful implementation of the Kosovo standards. In this context, we welcome the implementation of inter-community talks on several subjects, and particularly the consultations that included both Kosovo Albanians and Kosovo Serbs, which have led to an agreement on the establishment of institutions for human rights and the return of refugees. We would also like to emphasize that the rebuilding of homes destroyed in the March violence should be completed as soon as possible in order to improve mutual trust among the communities involved.

Lastly, building tolerance will require a positive change in the mental attitude of the people; that is, they

must have reason to hope for a better life for themselves. Regrettably, recent news reports indicate that the unemployment rate in Kosovo is again rising and is now approaching 70 per cent. This situation, in which the people are enduring unacceptably high unemployment and are thus unable to have any hope for their future, must be changed. UNMIK and the Provisional Institutions of Self-Government, with the assistance of the international community, must redouble their efforts to address this issue within the framework of the Kosovo Standards Implementation Plan.

Based on our firm belief that stabilizing the situation in Kosovo is essential for the stability and prosperity of the entire region, my Government has contributed, to date, approximately $186 million in assistance for that purpose. We remain committed to the goal of achieving stability and prosperity in South-Eastern Europe, in cooperation with the international community as a whole.

The President (*spoke in Russian*): I thank the representative of Japan for the kind words he addressed to me.

The next speaker inscribed on my list is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

Mr. Nesho (Albania): At the outset, Sir, allow me to congratulate you on your assumption of the presidency of the Security Council and to wish you every success.

Our delegation welcomes the report of the Secretary-General (S/2004/613) and today's comprehensive briefing by Assistant Secretary-General Annabi. We believe that the recommendations of the Secretariat and of the Security Council on the improvement of the situation will serve to overcome the impasse concerning the destabilized situation brought about by the events of March 2004. Reflection on these events highlights the need for fundamental changes and a realistic evaluation of the situation by the international community.

First, there is a need for the rapid implementation of the "standards before status" policy, focusing on the attainment of a democratic, multi-ethnic and multicultural society in which the rule of law and tolerance prevail. This can be achieved when the legitimate organs of the democratic institutions in Kosovo possess complete responsibility for building up their society. For that to happen, competences of the United Nations Interim Administration Mission in Kosovo (UNMIK) must be transferred to Kosovo's executive institutions and UNMIK's role must be restructured, from that of a decision-making body to that of an advisory and monitoring body.

Secondly, the international institutions must maintain a continued presence as a guarantee of stability and peace in the region. Albania is grateful for the role of UNMIK and for the role and the commitment of the military forces of the North Atlantic Treaty Organization (NATO), including the United States, and those of the other nations of the KFOR contingent in the region, and emphasizes the need for their continued presence in Kosovo. Albania also appreciates the establishment of the "Contact Group Plus" for Kosovo as an important step towards fulfilling the Kosovo Standards Implementation Plan.

In turn, the political factions and people of Kosovo should understand that in the future Kosovo will be a free, democratic and multi-ethnic society and a country in which minority rights are protected by law. Kosovo belongs to all the people of Kosovo. They are all an integral part in the new society and are equal in their rights and obligations.

We commend the positive fact that the Government of Kosovo has taken the appropriate measures for the reconstruction of destroyed buildings and the return of displaced people. We also particularly commend the proposal for the creation of a ministry for communities and integration. All these initiatives stem not only from the commitment of the representatives and institutions of Kosovo to accomplishing the standards set forth by the international community, but also from their growing maturity and responsibility regarding the dynamic realities in Kosovo and throughout the region.

It is important that the climate of understanding and the process of integration being created continue. Members of minorities must participate in the parliamentary elections and not boycott them. They should not be instrumental in nationalist and divisive scenarios. Kosovo needs its minorities to participate in the construction of the country; it needs them to participate in governing the country; and it needs them to create, together, the future while forgetting the past.

Albania reconfirms its support for the implementation of the "standards before status" policy. The achievement of the standards selected by the international community is essential for the new Kosovo society; their objectives are necessary conditions for defining final status. We think that a useful step towards stability would be for the international community, while undertaking a discussion of standards, to take into consideration the final status of Kosovo, in the belief that the implementation of a "status with standards" policy will concretely advance the political process in Kosovo and further normalize the situation in the region.

We believe in a European future for Kosovo as the most appropriate and realistic solution. Implementation of this idea could be achieved through the expansion of the economic presence of the European Union (EU) in Kosovo, and with Kosovo's inclusion in the EU integration processes.

One of the primary conditions of the standards policy is revitalization of the dialogue between Pristina and Belgrade. Albania supports this dialogue between the two countries on both the political and the technical levels. In this course of action, it is also important that the internal dialogue between the two communities in Kosovo be expanded.

For its part, Albania is committed to furthering the dialogue with Serbia and Montenegro on areas of mutual interest and in the framework of Balkan and European integration. This will serve to strengthen relations between the two countries and to create a better and more constructive climate between Albanians and Serbs in the region, in the interest of stability and regional integration.

We commend the current progress made by the Government of Kosovo in collaborating with UNMIK, the EU, the Organization for Security and Cooperation in Europe (OSCE) and the United States Agency for International Development (USAID). We also commend the effort to reform and strengthen local government in Kosovo as an important element in reducing ethnic tensions in the long run.

We believe that greater autonomy for local government — an autonomy that does not distort the vertical line of power and that does not harm the central Government of the territory of Kosovo — is an important element of the "standards before status" policy and will strengthen and improve the economic, social and cultural situation. It will help bring the citizens of all communities closer together in the decision-making process, further local development and create greater space for local initiatives.

It is important that all the political and institutional factors in Kosovo and the representatives of the Serb and other communities cooperate to achieve understanding, reach common solutions for the successful reform of the self-government process, and to go even further.

In conclusion, let me extend our best wishes to the newly appointed Special Representative of the Secretary-General, Mr. Søren Jessen-Petersen, wish him every success in his important mission and assure him of our Government's support.

The President (*spoke in Russian*): I give the floor to Mr. Annabi to respond to comments and questions raised.

Mr. Annabi: There were no specific questions, so I will be very brief. I wish to make just two points. First, I would like to thank Security Council members and others who have expressed their appreciation for the work done, under difficult circumstances, by the outgoing Special Representative of the Secretary-General, Mr. Harri Holkeri. I also wish to thank them for the good wishes addressed to the new Special Representative, Mr. Søren Jessen-Petersen. He will be meeting in the next few days in Geneva with the senior staff of the United Nations Interim Administration Mission in Kosovo (UNMIK) before proceeding to Pristina to take up his assignment.

Secondly, I wish to advise members of the Council that UNMIK is currently facing a very serious financial situation. There are very significant delays in the payment of assessed contributions to UNMIK. The Secretariat has suggested, as a means of trying to mitigate the effects of the situation, that we retain the surpluses from peacekeeping operations that have been completed. But as members are aware, that was not accepted by the General Assembly, and as a result there is very little or no flexibility for current missions that are short of cash.

I would therefore like to take this opportunity to stress the seriousness of the situation, which may lead UNMIK, as early as next month, to curtail some of its activities, and to urge all those concerned to promptly

pay their outstanding contributions in full and without further delay.

The President (*spoke in Russian*): I thank Mr. Annabi for the additional information he provided.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.55 p.m.